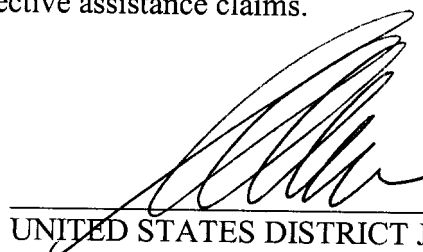


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CHAUNCEY LEON COMBS,)	
)	Civil Action No. 7:05-cv-00064
Petitioner,)	
)	<u>ORDER</u>
v.)	
)	
UNITED STATES OF AMERICA,)	By: Samuel G. Wilson
)	United States District Judge
Respondent.)	

In accordance with the memorandum opinion entered this day, it is hereby **ORDERED** and **ADJUDGED** that Chauncey Leon Combs' motion for reconsideration is **GRANTED**. The court hereby **REFERS** the matter to United States Magistrate Judge Michael Urbanski for an evidentiary hearing limited to the issue of whether Combs requested his attorney to file an appeal and for preparation of a Report and Recommendation pursuant to 28 U.S.C. § 636(b)(1)(B). The court hereby **DISMISSES** Combs' remaining ineffective assistance claims.

ENTER: This 18th day of July, 2005.


UNITED STATES DISTRICT JUDGE